



PTO/SB/17 (11-00)
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<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">for FY 2004</h2> <p style="text-align: center;"><i>Patent fees are subject to annual revision.</i></p>		Complete if Known	
		Application Number	10/790,272
		Filing Date	3/1/2004
		First Named Inventor	Packer
		Examiner Name	
		Group Art Unit	2661
TOTAL AMOUNT OF PAYMENT		(\$)	316.00
		Attorney Docket No.	6533/53815

<h3 style="text-align: center;">METHOD OF PAYMENT</h3>				<h3 style="text-align: center;">FEE CALCULATION (continued)</h3>																																																																																																																																																																																	
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: </p> <p>Deposit Account Name: </p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>60</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>420</td><td>216</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>950</td><td>217</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,980</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>480</td><td>243</td><td>230</td><td>Design Issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>128</td><td>180</td><td>128</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>178</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	60	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	420	216	210	Extension for reply within second month		117	950	217	475	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,980	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	480	243	230	Design Issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		128	180	128	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		178	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
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<p>Other fee (specify) </p>				<p>SUBTOTAL (3) (\$) </p>																																																																																																																																																																																	

SUBMITTED BY		Complete if applicable	
Name (Print/Type)	Mark James Spolyar	Registration No. (Attorney/Agent)	42164
Signature		Telephone	415-826-7966
		Date	August 2, 2004

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Law Office of Mark J. Spolyar
Counselor and Attorney in Intellectual Property and Technology Law Matters

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San Francisco, CA 94114

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415.826.7966 (v)
415.480.1780 (f)

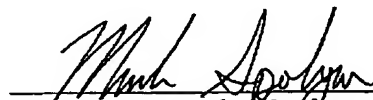
FACSIMILE TRANSMISSION

Date: August 2, 2004
To: Technology Center 2600
United States Patent & Trademark Office
Fax: 703-872-9306
From: Mark Spolyar
Number of Pages (including cover sheet): 13
RE: Transmission of Preliminary Amendment B
U.S. Serial No. 10/790,272

OFFICIAL**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8**

Facsimile Number: 703-872-9306
Date: August 2, 2004

I hereby certify that this correspondence, and the papers referred to herein, are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated above.


Mark J. Spolyar
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Papers Included Herewith:

1. Fee Transmittal (1 page);
2. Credit Card Payment Authorization Form PTO-2038 (1 page);
3. Preliminary Amendment B (10 pages); and
4. This Cover Sheet (1 page).



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Mark J. Spolyar

415-480-1780

p. 4

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OFFICIAL

Appl. No.: 10/790,272
Applicant: Robert L. Packer
Filed: March 1, 2004
Title: Method for Explicit Data Rate Control in a Packet
Communication Environment without Data Rate Supervision

Docket No.: 6533/53815
Customer No.: 30505

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT B

Sir:

Prior to examination of the above-identified patent application, please amend the application as follows.

Amendments to the Specification begin on page 2 of the paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 10 of this paper.

08/04/2004 HNEKONEN 00000035 10790272

01 FC:1201 172.00 OP
02 FC:1202 144.00 OP